



INDIANA UNIVERSITY

SCHOOL OF MEDICINE

The Physician Payment Sunshine Act and the Open Payments Website

On Tuesday, September 30, 2014, the Center for Medicare and Medicaid Services (CMS) released to the public the Open Payments website, as required by the Physician Payment Sunshine Act. A goal of the Sunshine Act is to better inform patients of financial interactions and relationships between physicians and industry with regards to the promotion and sale of prescription medications and medical devices. Focusing on transparency, this website provides an opportunity for the public to have access to financial interactions between physicians, teaching hospitals, pharmaceutical companies and medical device companies. A few examples of such interactions include consultation, speaking engagements, or research.

IUSM has reviewed its conflict of interest and industry relations policies in 2014, and will be approving a new policy later this year that provides guidance to its faculty, fellows, residents and students about certain interactions with industry. A draft policy was already crafted, and IUSM faculty made suggestions during an "Open Comment" period that helped shape a final version. The policy will detail specifics about those interactions and will describe what is acceptable and what is not acceptable. After the policy is finalized, it will be placed on the school's website in full transparency to all.

Frequently Asked Questions

An IUSM physician is listed on the Open Payments website as a consultant with a particular company. Does this violate any school policies?

Earlier in 2014, IUSM embarked on revising its Industry Relations Policy, last revised in 2008. The policy is in the final stages of approval and is expected to occur before 2015. The policy specifically addresses faculty interactions with industry in a variety of settings, including consulting, speaking engagements and research, as well as meals, gifts, and the process of disclosure in general. For more information about the policy, please contact Alexander Djuricich, MD, Chair of the Conflict of Interest Industry Relations Committee at adjurici@iu.edu.

An IUSM physician is found to have done research with industry as found on the Open Payments website. Is this allowed?

IUSM supports innovation within medical research. Promoting research endeavors is an important mission of IUSM, along with providing excellent patient care and educating physicians and other health care providers. Relationships with industry that support innovation are encouraged, not discouraged. However, conflicts of interest must be appropriately managed. IUSM has reviewed extensive literature on interactions with industry and has prepared a policy that appropriately manages such conflicts. This policy is expected to be approved before 2015. Research collaborations with

industry are allowed within IUSM policies, as long as the involved physicians provide appropriate disclosure of the research activities and relationships.

In reviewing names on the Open Payments website, we have found that a doctor has had interactions with a medical device company. When speaking with the physician, he denies receiving any money from the company. Where is the discrepancy?

Physicians themselves do not need to report any information about industry interactions as part of the Sunshine Act. Rather, the medical device and pharmaceutical companies themselves are required to submit reports to CMS about financial relationships with physicians and teaching hospitals. After the reports were filed earlier this year, physicians had an opportunity to review and dispute the information submitted, but the time period for dispute was short. Several errors in the data were found during the dispute period, and have been corrected and data have been resubmitted, but physicians may not have made official disputes with CMS on the Open Payments website. Our hope is that as the site is rolled out, physicians, including those within IUSM, will proactively review the information on the website and provide updated, correct information if the data appear incorrect. As time goes on, the processes for reporting will likely improve, and the data will become more accurate.